

## **ARTICLE 1.00 GENERAL PROVISIONS**

### **01.01 Title**

#### **01.01.010 Long Title**

An Ordinance, pursuant to the authority granted by Section 13-701 through 13-715, Tennessee Code Annotated, to provide for the establishment of districts within the planning jurisdiction of Gallatin, Tennessee: to regulate within such districts the location, height, bulk, number of stories and size of buildings and other structures, the percentage of lot occupancy, the size of open spaces, the density of population, and the uses of land, buildings, and other structures for trade, industry, residence, recreation, public activities, and similar purposes to include special districts for areas subject to flooding and areas developed as a planned unit; to provide regulations governing non-conforming uses and structures; to provide for a board of appeals and for its powers and duties; to provide for permits; to provide for the administration and for enforcement; to provide penalties for the violation; and to provide for conflicts with other ordinance or regulations.

#### **01.01.020 Short Title**

This Ordinance may be cited as the Zoning Ordinance of Gallatin, Tennessee. The map portion may be cited separately as the Zoning Map of Gallatin, Tennessee.

#### **01.01.030 Repeal**

The existing zoning regulations of the City of Gallatin, as amended, are hereby repealed. The adoption of this Ordinance, however, shall not affect nor prevent any pending or future prosecution of an action to abate any existing violation of said existing regulations, as amended, if the violation is also a violation of this Ordinance.

### **01.02 Legislative Enactment**

WHEREAS, Sections 13-701 through 13-715, Tennessee Code Annotated, empower the city to enact a Zoning Ordinance and to provide for its administration, enforcement, and amendment, and WHEREAS, the Mayor and Aldermen deem it necessary, for the purpose of promoting the health, safety, morals, and general welfare of the city to enact such an ordinance, and WHEREAS, the Mayor and Aldermen, pursuant to the provisions of Section 13-702, of the Tennessee Code Annotated, has appointed a Planning Commission to recommend the boundaries of the various original districts and appropriate regulations to be enforced therein, and

WHEREAS, the Planning Commission has divided the city and region into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements, and

WHEREAS, the Planning Commission has given reasonable consideration, among other things, to the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate uses for the land throughout the municipality, and

WHEREAS, the Planning Commission has submitted its final report to the Mayor and Aldermen, and

WHEREAS, the Mayor and Aldermen have given due public notice of hearings related to zoning districts, regulations, and restrictions, and has held public hearings, and

WHEREAS, all the requirements of Sections 13-701 through 715 of the Tennessee Code Annotated, with regard to the preparation of the report of the Planning Commission and subsequent action of the Mayor and Aldermen have been met;

NOW THEREFORE BE IT ORDAINED BY THE PEOPLE OF THE CITY OF GALLATIN, TENNESSEE:

**01.03 Intent and Purpose**

This Ordinance is enacted pursuant to Title 13 of the Tennessee Code Annotated for the following purposes:

01.03.010 To promote and protect the public health, safety, morals, comfort, convenience, and general welfare of the people;

01.03.020 To divide the city and the planning region into zones and districts restricting and regulating therein the location, construction, reconstruction, alteration, and use of buildings, structures, and lands for residence, business, commercial, manufacturing, and other specified uses;

01.03.030 To protect the character and maintain the stability of residential, business, commercial, and manufacturing areas within the city, and to promote the orderly and beneficial development of such areas;

01.03.040 To provide adequate light, air, privacy, and convenience of access to property;

01.03.050 To regulate the intensity of open spaces surrounding buildings that is necessary to provide adequate light and air and protect the public health;

01.03.060 To establish building lines and the location of buildings designated for residential, business, commercial, manufacturing, or other uses within such lines;

01.03.070 To fix reasonable standards to which buildings or structures shall conform;

01.03.080 To prohibit uses, buildings or structures which are incompatible with the character of development or the permitted uses within specified zoning districts;

01.03.090 To prevent such additions to, and alterations or remodeling of, existing buildings or structures as would not comply with the restrictions and limitations imposed hereunder;

01.03.100 To limit congestion in the public streets and so protect the public health, safety, convenience, and general welfare by providing for the off-street parking of motor vehicles and for the loading and unloading of commercial vehicles;

01.03.110 To provide protection against fire, explosion, noxious fumes, and other hazards in the interest of the public health, safety, comfort, and general welfare;

01.03.120 To prevent overcrowding of land and undue concentration of structures so far as is possible and appropriate in each district by regulating the use and the bulk of buildings in relation to the land surrounding them;

01.03.130 To conserve the taxable value of land and the buildings thereon throughout the city;

01.03.140 To provide for the gradual elimination of those uses of land, buildings and structures, and of those buildings and structures which do not conform to the standards of the districts in which they are respectively located and which are adversely affecting the development and taxable value of property in each district;

01.03.150 To provide for condemnation of such non-conforming buildings and structures and of land as the Mayor and Aldermen shall determine is necessary or appropriate for the rehabilitation of the area blighted by such buildings or structures;

01.03.160 To define and limit the powers and duties of the administrative officers and bodies as provided herein;

01.03.170 These general purposes include the specific purposes stated in the various sections throughout this Ordinance.